

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

DONALD E. CAVNESS-BEY,

Petitioner,

v.

RONALD DAVIS,

Respondent.

No. C 15-03526 EJD (PR)

ORDER OF TRANSFER

Petitioner, a state prisoner at San Quentin State Prison, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging his state conviction.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). However, federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. See Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). The petition indicates that Petitioner was convicted in Sacramento County which lies within the venue of the Eastern District of California. See 28 U.S.C. 84(b).

Accordingly, the above-titled action is hereby TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. §§

1404(a), 2241(d); Habeas L.R. 2254-3.

The Clerk shall transfer this matter and terminate any pending motions.

DATED: 10/2/2015


EDWARD J. DAVILA
United States District Judge

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Case Number: CV15-03526 EJD

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 10/5/2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Donald Eugene Cavness-Bey P38865
SAN QUENTIN STATE PRISON
San Quentin, CA 94974

Dated: 10/5/2015

Susan Y. Soong, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk